

ORDINANCE 05-22

AN ORDINANCE TO AMEND THE ZONING MAP AND TEXT OF THE ZONING ORDINANCE 04-09, NOLENSVILLE, TENNESSEE, TO CREATE AN ANNEXATION BUFFER OVERLAY AND APPLY AS DESCRIBED HEREIN

WHEREAS, the Town of Nolensville enacted Zoning Ordinance 04-09 in 2004. Prior to the enactment of 04-09, the Town enacted Ordinance #98-22 in 1998 which amended the initial zoning ordinance of the Town of Nolensville. Subsequent amendments have been enacted prior to the enactment of Ordinance 04-09; and

WHEREAS, Article 9, section 9.1.2 of the Zoning Ordinance of the Town of Nolensville provides the authority for the Board of Mayor and Alderman to review and amend the zoning map; and,

WHEREAS, on December 7th, 2002, the Town of Nolensville and the City of Brentwood entered into an Interlocal Agreement by Resolution 02-15 and amended such agreement by Resolution 05-10; and,

WHEREAS, pursuant to the provisions of Tennessee Code Annotated Section 6-58-101, et seq., the Town of Nolensville adopted a comprehensive growth policy plan that addresses anticipated development over a 20 year period; and,

WHEREAS, the Town Of Nolensville adopted by Resolution #00-04, the growth plan for Williamson County dated December 21, 1999, and,

WHEREAS, the City of Brentwood (hereinafter, "Brentwood") and the Town of Nolensville (hereinafter, "Nolensville") desire to establish a mutually acceptable land use development plan for all acreage located within ½ mile of the urban growth boundary separating the two communities as provided in the Interlocal Agreement approved by Resolution 02-15 as amended in Resolution 05-10; and,

WHEREAS, The Board of Mayor and Aldermen approved Ordinance 03-06 on December 4, 2003, to annex certain territory adjacent to and including sections of Brittain Lane, Nolensville Road, Maupin Road, Williams Road, Maxwell Lane, Sunset Road, Owen Road, Hyde Lane, Split Log Road, Sam Donald Road, Clovercroft Road and Waller Road to incorporate same within the corporate boundaries of the Town of Nolensville, Tennessee; and,

WHEREAS, on August 13, 2005 an annexation of territory west and north of the existing corporate limits was approved in Chancery Court for Williamson County in Case numbers 20232 and 20234, Tennessee; and,

WHEREAS, the Board of Mayor and Alderman have conducted a public hearing on _____, 2005 thereon,

NOW THEREFORE, BE IT ORDAINED, THAT THE ZONING ORDINANCE OF THE TOWN OF NOLENSVILLE, TENNESSEE BE AMENDED AS FOLLOWS:

SECTION 1:

Article 2.1.0 is amended to add the following zoning district:

Annexation Buffer Overlay District (ABO)

SECTION 2:

Add Article 2.2.13 to read as follows:

Upon annexation of any property within one-half (1/2) mile of the boundary separating the urban growth boundaries of the City of Brentwood and the Town of Nolensville, an Annexation Buffer Overlay District (ABO) shall be applied. The following restrictions and limitations shall apply to any new development, in addition to all other restrictions and limitations that may apply:

- A. Development shall be limited to detached single family residences.
Permitted with Conditions: Churches and other religious facilities and associated uses; schools and related facilities; and parks and recreation uses.
- B. Newly created residential subdivisions on tracts less than 15 acres shall have a minimum overall density of one single family detached unit per acre.
- C. Planned residential subdivisions on tracts greater than 15 acres shall be limited to detached single family residences having a minimum lot size of 20,000 square feet, with the overall density for the development not to exceed 1.4 detached units per acre.
- D. The minimum required lot area, building setbacks, green space provisions and maximum height for any service-institution uses shall incorporate the following minimum technical and development standards:

Use	Lot Area	Setbacks	Green Space	Height
Church/ Religious	5 acres	Front – 125 ft. Side – 75 ft. Rear – 75 ft. Side on corner 125 ft	30%	Front –2 stories Rear - 3 stories with basement; 2 stories without basement
School	20 acres	Same as above	30%	Same as above
Parks & Recreation Uses	3 acres	Same as above	30%	Same as above

SECTION 3:

Notwithstanding the foregoing, if a development plan has previously been approved by the County for property within this overlay district, Brentwood and Nolensville may allow development to proceed as approved by the County, provided that all infrastructure improvements, including roads, utilities and drainage, are substantially under construction within six months of the date of approval; that such work continues on the project in a manner consistent with the approved development plan; and that development is not suspended or abandoned for six months or more.

SECTION 4:

That the Town of Nolensville Zoning Map is hereby amended as follows:

All properties described in the territory annexed under Ordinance 03-06, shall be zoned as Suburban Residential (SR). A special overlay district referred to as Annexation Buffer Overlay District (ABO) shall be applied to that area within one-half (½) mile of the boundary separating the urban growth areas of the City of Brentwood and the Town of Nolensville as referred to in the Interlocal Cooperation Agreement between the City of Brentwood, Tennessee, and the Town of Nolensville, Tennessee, approved pursuant to Resolution 05-10 as amended by Resolution 05-10.

This ordinance shall be come effective after its passage and adoption, the public welfare demanding it.

Approved by the Board of Mayor and Alderman

First Reading

Public Hearing

Second Reading

Charles Knapper, Mayor

Cindy Lancaster, Town Recorder

Approved by:

Town Attorney, Robert J. Notestine, III